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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7
8 ROBERT MITCHELL,
9 Plaintiff,

10 v.

11 RODNEY ASKELSON, et al.,
12 Defendants.

Case No. C08-980-MJP-MAT

ORDER OF DISMISSAL

13
14 The Court, having reviewed the Plaintiff's Second Amended Complaint (Dkt. No. 29),
15 the Report and Recommendation of Honorable United States Magistrate Judge Mary Alice
16 Theiler, Plaintiff's Motion for Summary Judgment, which the Court construes as an Objection
17 to the Report and Recommendation (Dkt. No. 116), Defendants' Response to the Objection
18 (Dkt. No. 117), and the remaining record, finds and Orders as follows:

19 (1) The Report and Recommendation is approved and adopted;


20 (2) Defendants' Amended Motion for Summary Judgment (Dkt. No. 95) is
21 GRANTED;

22 (3) Plaintiff's Second Amended Complaint is DISMISSED with prejudice; and

23 (4) The Clerk is directed to send a copy of this order to Plaintiff, all counsel of record,
24 and Hon. Judge Theiler.

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DATED this 16th day of September, 2009.


Marsha J. Pechman
United States District Judge